

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff, No. MISC. S-04-0065 FCD GGH

vs. (CR-S-02-422 FCD)

CHARLES MICHAEL ZUREK, JR.,

Defendant and ORDER  
Judgment Debtor.

MORGAN STANLEY,

Garnishee.

On April 11, 2005, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within ten days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

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The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

Accordingly, IT IS ORDERED that:

1. The Proposed Findings and Recommendations filed April 11, 2005, are  
ADOPTED; and

2. The government's applications for writs of garnishment against Charles and Opal Zurek are granted in part, and the Morgan Stanley investment accounts 171-055168, 171-055169, 171-016406 are subject to garnishment of the United States. Garnishment of account 171-055170 is denied.

DATED: May 27, 2005

/s/ Frank C. Damrell Jr.  
FRANK C. DAMRELL JR.  
United States District Judge

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